

ENTERED

November 02, 2017

David J. Bradley, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

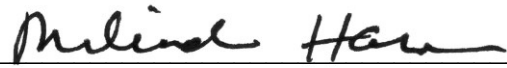
APD TECH, LLC; ca APD SERVICES, LLC,	§	
<i>et al</i> ,	§	
	§	
Plaintiffs,	§	
VS.	§	CIVIL ACTION NO. 4:16-CV-0895
	§	
EMERITUS EQUITY HOLDINGS, LLC, <i>et al</i> ,	§	
	§	
Defendants.	§	

ORDER ADOPTING MEMORANDUM AND RECOMMENDATION

Pending in the above-referenced cause is Plaintiffs' Motion to Strike Defendants' Answers (Document No. 122), in which Plaintiffs seek an Order striking the Answers of Defendants Donald Kelly (Document No. 114), Lynn Kelly (Document No. 115), and David Anchim (Document No. 119), arguing that the Answers are untimely and come several weeks after the Clerk entered defaults against Defendants Donald Kelly, Lynn Kelly, and David Anchim. Defendants filed separate Motions for Denial of Motion to Strike Defendants' Answers (Document Nos. 123, 124, 125). On August 8, 2017, the Magistrate Judge issued her Memorandum and Recommendation ("M&R") recommending that Plaintiffs' Motion to Strike be granted, and that Defendants' Motion for Denial be denied. (Document No. 127). Defendants filed no objections to the Judge's M&R, and upon review, the Court agrees with the Magistrate Judge's conclusions. Accordingly, the Court hereby

ORDERS that the Memorandum and Recommendation (Document No. 127) is ADOPTED. Plaintiffs' Motion to Strike Defendants' Answers (Document No. 122) is GRANTED and Defendants' Motions for Denial of Motion to Strike Defendants' Answers (Document Nos. 123, 124, 125) are DENIED.

SIGNED at Houston, Texas, this 2nd day of November, 2017.

A handwritten signature in black ink, reading "Melinda Harmon", written over a horizontal line.

MELINDA HARMON
UNITED STATES DISTRICT JUDGE